

Ohio Republican Party
ID # C00162339
12-Day Pre-General Report 10/01/08 - 10/15/08

This correspondence is in response to your audit letter dated March 4, 2009, concerning the above referenced party requiring a response date by April 3, 2009. Your report pertains to an Amended 12 Day Pre-General Report for the period October 1, 2008 through October 15, 2008, received December 18, 2008. This correspondence, along with the associated amendments referred to herein, should constitute a complete response to your issues. In the event you need further clarification, please do not hesitate to contact us.

1. You asked for information on our corrective action relative to a Schedule A disclosure of a receipt of \$450,000.00 from the "ORP Non-Federal Account." I have enclosed a copy of our check number 0014619 transferring the funds from the Federal Account to our State Account in response to your previous correspondence. The original transfer was prompted by an attempt to comply with the Ohio Secretary of State's audit protesting that the Ohio Republican Party was not allowed to put Federal dollars into the State Candidate Fund. We do not agree with the Secretary of State's interpretation of the rule and are currently attempting to resolve our disagreement vis a vis the Ohio Elections Commission.

In response to your request, we have provided a photocopy of the check reflecting the transfer out, and such amount will be disclosed on Schedule B supporting Line 22 of our next filed report.

2. You questioned a receipt we reported as received from the Republican National Committee which you were unable to locate on their report. Please be advised that we are amending our report to correct the receipt as it was received from the Michigan Republican Party, not the Republican National Committee.

3. We amended our report, per your request, to indicate "transfer" on Schedule A supporting Line 11(c) for the receipts from "Daiely for Congress," "Friends of John Boehner," "Jim Jordan for Congress," and Tiberi for Congress."

4. We amended Schedule A supporting Line 12 of our report to reflect the donor receipt from "John McCain 2008 Inc." rather than "McCain Victory 2008."

5. You asked for clarification of the nature of the transfer in from the National Republican Committee reported on Schedule A supporting Line 12. Additionally , you are requesting clarification for subsequent payments reported on Schedule B supporting Line 30(b) described as "non-allocable exempt printing," "non-allocable exempt printing postage," "printing/postage non-allocable exempt" and "yard signs." As you suggested, we sought further guidance by reference to 11 CFR Sec. 100.87 and Sec. 100.147 and the Campaign Guide for Party Committees.

The two events you identified are completely unrelated. The transfer from the Republican National Committee reported on Schedule A Line 12 is simply funds received and not specifically designated towards a particular expenditure. The expenses reported on Schedule B Line 30(b) for " non-allocable exempt printing," "non-allocable exempt printing postage," "printing/postage non-allocable exempt" and "yard signs" were actually paid from Home Grown Funds. As such, we believe the activity does not meet the definition of "exempt" activity and the expenditures were not made on behalf of any specifically identified candidates that require disclosure. Therefore, we do not believe any correction or amendment to the report is necessary as a result of this inquiry.

6. You indicate that expenditures and disbursements for public communications that refer to a clearly identified candidate for federal office and that promote, support, attack or oppose any candidate for federal office meet the definition of Federal Election Activity under 11 CFR Sec. 100.24 and require disclosure on Schedule B Line 30(b) along with the identity of the candidate. These expenditures do not meet the definition of Federal Election Activity or contain express advocacy for a particular candidate such that they would require amendment of the report. The expenses

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were for generic political activities and did not list any specific activity or candidate.

7. We amended our report to indicate that itemization is not necessary pursuant to 11 CFR Sec. 300.36(b) as all amounts were less than \$200.00 for the calendar year per vendor.

8. You requested an amendment to Schedule B to clarify the description originally reported as "victory political consulting." You have referred us to 11 CFS Sec. 104.3(b)(3). In a review of the applicable code section, we do not feel that the expense incurred with JPL & Associates for coalition consulting is adequately described by the referenced descriptions in this particular section namely, "dinner expenses, media, salary, polling, travel, party fees, phone banks, travel expenses, travel expense reimbursement or catering costs." Therefore, we believe that the description as originally provided is the only way to elaborate the activity which was performed, which is consulting, and no amendment is necessary.

I assume that this completes all matters relative to the report period in question. However, should you have any follow up questions, please do not hesitate to contact us.
